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December 16, 2022

Via ECF

The Honorable Denise L. Cote
United States District Judge
Southern District of New York

Re: United States v. Christopher Margait, 22 Cr. 312 (DLC)

Dear Judge Cote:

I am writing in connection with the sentencing for defendant Christopher Margait, which is currently scheduled for January 12, 2023. Given the status of Mr. Margait's pending matter in the Southern District of Florida before the Honorable Rodney Smith (the "Florida Matter"), we are requesting another 60 day adjournment of Mr. Margait's sentencing before Your Honor. The Government, through Assistant United States Attorney David Lewis, has no objection to this request.

Mr. Margait was slated to testify, as a Government witness, at a trial in the Southern District of Florida which commenced in November 2022. The trial ended in a mistrial before Mr. Margait was called to testify, and the U.S. Attorney's Office for the Southern District of Florida is currently determining whether they will seek to retry the matter. Mr. Margait's sentencing in the Florida Matter went forward on December 14, 2022 despite this uncertainty. At that time, Mr. Margait was sentenced principally to term of 24 months' imprisonment, and was given a surrender date of August 15, 2023.

However, given Mr. Margait's cooperation to date, and his continued availability to testify should the Government need him to do so, the U.S. Attorney's Office for the Southern District of Florida is evaluating whether they will be moving the Court for a reduction in Mr. Margait's sentence pursuant to Federal Rule of Criminal Procedure 35. This process is complicated by the fact that the Assistant United States Attorney handling the matter in Florida is leaving the U.S. Attorney's Office and transferring the case to a new prosecutor, and a final decision has not yet been made on whether the aforementioned trial will be rescheduled.

*The sentence is adjourned
to March 16, 2023 at
2:00 pm - Denise Cote
12/16/22*